

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL No. 2327
THIS DOCUMENT RELATES TO: ETHICON WAVE 1 CASES LISTED IN EXHIBIT A	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

**PLAINTIFFS' *DAUBERT* MOTION TO EXCLUDE, OR IN THE ALTERNATIVE,
TO LIMIT THE OPINIONS AND TESTIMONY OF STEVEN MACLEAN, PH.D., P.E.**

COMES NOW Ethicon Wave 1 Plaintiffs listed in Exhibit A, by and through the undersigned attorneys, and file this *Daubert* Motion to Exclude, or in the Alternative, to Limit the Opinions and Testimony of Steven MacLean, Ph.D., P.E. and would respectfully show the Court that Dr. MacLean should be excluded for the following reasons:

1. Dr. MacLean is not qualified to offer opinions concerning the biocompatibility of Ethicon's Prolene-based products, opinions concerning Ethicon's compliance with FDA regulations, or opinions concerning pathology and these opinions are unreliable or irrelevant; and
2. Dr. MacLean opinions derived from a set of experiments he performed are also unreliable as the methods used were flawed or the data was intentionally manipulated through selection bias to achieve the results Dr. MacLean desired.
3. In support of this motion, Plaintiffs have submitted a memorandum of law and also rely upon the exhibits attached to this motion.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully request that the Court grant their *Daubert* Motion to Exclude, or in the Alternative, to Limit the Opinions and Testimony of Steven MacLean, Ph.D, P.E. Additionally, Plaintiffs request all other and further relief to which they may be justly entitled.

Dated: May 14, 2016.

Respectfully submitted,

/s/Bryan F. Aylstock
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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2016, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

Respectfully submitted,

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